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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/057,197	
	Filing Date	10/26/2001	
	First Named Inventor	Martin J. WENSLEY	
	Art Unit	3761	
	Examiner Name	Darwin P. Erez	
Total Number of Pages in This Submission	24	Attorney Docket Number	509032001500

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Firm or Individual	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone: (650)687-3905
Signature	
Date	September 5, 2003

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>September 5, 2003</u>			
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MARK YAMAGUMA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wensley et al.

Examiner: Darwin P. Erez

Serial No.: 10/057,197

Group Art Unit: 3761

Filing Date: 10/26/01

Date: September 5, 2003

For: AEROSOL GENERATING METHOD AND DEVICE

AMENDMENT AND RESPONSE TO OFFICIAL ACTION
RESTRICTION REQUIREMENT

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Dear Sir:

In response to the Office Action dated 8/12/03, Applicants provisionally elect an invention to be examined. This response is timely submitted within the shortened statutory period of 1 month and therefore no fee is required.

Amendments to the claims are submitted in compliance with revised 37 CFR 1.121 and are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 21 of this paper.